

EXHIBIT 10

WINSTON KENDALL  
ATTORNEY AT LAW

WINSTON D. KENDALL

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3<sup>rd</sup>.January, '05

S.Sweeney, esq.  
Edwards, Angell  
101 Federal Street  
Boston, Ma.02110

Re: C.A.#04-10550-WGY  
Lassiter v. Anderson et al.

Dear Attorney Sweeney:

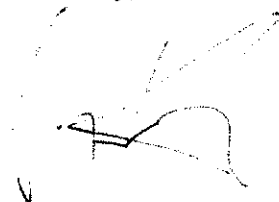
On 27<sup>th</sup>.December, '04, we conferred by telephone, relative to various matters, including that of the corporate employer's Affirmative Action Plan. We asked whether we could inspect the Plan, at your office, consistent with the representation made by the defendant in response to Plaintiff's Request For Production, # 7, that " ... **Fleet will produce documents responsive to this Request pertaining to the relevant time period by making them available for inspection and copying at Defendant's counsel's office at a time mutually agreeable to the parties**". You indicated that you did not know whether the Plan was available and that you would have to check with Bank officials.

In our conversation of this afternoon, you indicated that a copy of the Affirmative Action Plan for the period of time of the Plaintiff's employment, (2001-02) was not available- to put a synopsis on our interpretation of your remarks.

We ask that the defendant supplement its response to the Plaintiff's Request For Production # 7, to indicate the "unavailability" of a copy of any Affirmative Action Plan for the years 2001-'02.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to be "W. Kendall", written over a light blue horizontal line.